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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,989	12/29/2000	Michael P. Levosky	LEV-001	7705

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WHITE & FUDALA
57 BEDFORD STREET
SUITE 103
LEXINGTON, MA 02420

EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/751,989

Applicant(s)

LEVOSKY, MICHAEL P.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☒ Claim(s) 1,12 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it exceeds the 150 word limit.

Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claim 1 objected to because of the following informalities:

Change "from by" to "from".

4. Claim 12 is objected to because it is a duplicate of claim 11.

5. Claim 23 is objected to because it is a duplicate of claim 22.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber et al. (U.S. Patent No. 6,591,291) in view of Lee et al. (U.S. Patent No. 6,212,553).

8. In reference to claims 1 and 2, Gabber teaches a computer data communications network comprising a client computer, an Email client program, and an Email server, a method for a user having a physical address, to control and organize Email (Abstract and Summary), comprising the steps of:

- (a) creating an alias Email server (column 5);
- (b) entering the physical Email address into a Client Control Program by the user (columns 2 & 5);
- (d) generating an alias Email address by the alias Email server (column 2 lines 50-67 and column 5);
- (e) receiving an alias Email address by the Client Control Program (column 2 lines 50-67 and column 5);
- (f) sending the alias Email address to a recipient (column 2 lines 50-67 and column 5);

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(g) receiving by the alias Email server of a message from by recipient (column 3 and column 7 line 50 – column 8 line 67); and

(h) forwarding the message to the Email client program, together with the identification information (column 3 and column 7 line 50 – column 8 line 67);

so that the recipient is unaware of the physical Email address (Abstract and Summary).

Gabber fails to explicitly teach: (c) entering identification information into the Client Control Program by the user;

However, Lee teaches users entering identification information in the form of message flags to be included with an email (column 20 line 55 – column 23 line 40).

It would have been obvious for one of ordinary skill in the art to modify Gabber by including identification information in an email as per the teachings of Lee so that users can clearly mark emails for identification purposes.

9. In reference to claim 3, Gabber in view of Lee teach claims 1 and 2 above, further comprising:

(a) selecting by the user of the Reply function of the Email client program;

(b) inputting of a reply message by the user;

(c) transmitting of the users reply, message to the Alias Email server;

(d) stripping the user's reply message of all information which could identify the user's physical email address; and

(e) forwarding the stripped reply message to the recipient.

Gabber teaches stripping users physical email address and forwarding the email to a recipient (columns 2,3 and 5). Gabber does not explicitly teach a user selecting a reply function.

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However, Lee teaches a user selecting a reply function in an email to respond to a received message by the user (columns 2 and 31).

It would have been obvious for one of ordinary skill in the art to modify Gabber by including selecting a reply function by a user as per the teachings of Lee so that users can respond to received emails while maintaining their physical email anonymity.

10. In reference to claim 4, Gabber in view of Lee teach claim 3 above. Gabber does not explicitly teach wherein it further comprises:

a displaying of a log of a multiplicity of transactions to the user by the client control program, the log further comprising:

- (a) the time and date of each transaction;
- (b) the alias Email address of each transaction; and
- (c) the identification information of the transaction, and

further comprising sorting the log according to a plurality of sort standards, the standards further comprising date of creation, date of reception, status and number received.

However, Lee teaches a list of email transactions (figures 14 & 35) which comprises time and date (column 15), email address (column 15) and identification information (columns 20-23). Lee also teaches where the list can be sorted according to a variety of ways (column 25).

It would have been obvious for one of ordinary skill in the art to modify Gabber by including an email list with the above mentioned characteristics as per the teachings of Lee so that users can keep track of email messages.

11. In reference to claim 5, Gabber in view of Lee teach claim 4 above. Gabber does not explicitly teach wherein the identification information further comprises a block of message text

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transmitted within the body of the Email message forwarded to the user by the alias Email server. However, Lee teaches identification information in the form of message flags to be included with an email (column 20 line 55 – column 23 line 40).

It would have been obvious for one of ordinary skill in the art to modify Gabber by including identification information in an email as per the teachings of Lee so that users can clearly mark emails for identification purposes.

12. In reference to claim 6, Gabber in view of Lee teach claim 5 above. Gabber teaches wherein the generating of the alias Email address further comprises substantially random character generating (column 5 line 35 – column 7 line 20).

13. In reference to claim 7, Gabber in view of Lee teach claim 6 above. Gabber teaches entering one or more additional physical Email addresses into the client control program, and receiving an additional alias Email address corresponding to each additional physical Email address (columns 2,3 & 5).

14. In reference to claim 8, Gabber in view of Lee teach claim 7 above. Gabber teaches entering a request by the client control program for one or more additional alias addresses corresponding to each physical address, and receiving by the client control program an additional alias Email address corresponding to each such request (columns 2,3 & 5).

15. In reference to claim 9, Gabber in view of Lee teach claim 8 above. Gabber teaches entering a request by the client control program to suspend forwarding by the alias Email server to the Email client program of all Email addressed to a particular alias Email address (columns 7 & 8).

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16. In reference to claim 10, Gabber in view of Lee teach claim 9 above. Gabber teaches entering a request by the client control program to permanently discontinue receipt by the Email client program of all Email addressed to a particular alias Email address (columns 7 & 8).

17. In reference to claims 11 and 12, Gabber in view of Lee teach claim 10 above. Gabber teaches generating by the client control program of an alias Email address containing a user name, and filtering the Email at the Alias Email Server (columns 5,7 & 8).

18. Claims 13-23 do not teach any new limitations above claims 1-12 and are therefore rejected for the above mentioned reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO

April 16, 2004


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SUPERVISORY PATENT EXAMINER
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